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PRELIMINARY MITIGATED NEGATIVE DECLARATION

Date of Publication of Preliminary Mitigated Negative Declaration: April 12, 2006

Lead Agency: Planning Department, City and County of San Francisco
1660 Mission Street, San Francisco, CA 94103

Agency Contact Person: Sarah Jones

Telephone: (415) 558-5976

Project Title: 2003.1234E – 1461-1465 Pine Street

Project Sponsor: Cormac Investments Inc.

Project Contact: Bruce D. Baumann & Associates, Bruce Baumann

Telephone: (415) 551-7884

Project Address: 1461-1465 Pine Street
Block 0668, Lots 12 and 13
San Francisco

5/S



San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK

Not to be taken from the library

are-foot site comprises two parcels at 1461 and 1465 Pine Street, Assessor's object site is located midblock on the south side of Pine Street on the block Polk Streets. The site is a through lot which extends to Frank Norris Street, a lalle to Pine and Bush Streets. The proposed project would include the ment building consisting of 35 residential units over 710 square feet of ground es. The parking spaces would be located at ground level and in a sub-grade Norris Street. The proposed structure would be approximately 47,425 square t in height. The existing 6,000 square foot, one-story commercial building at ot, one-story automobile repair facility at 1465 Pine Street would be vere constructed in 1911 and 1917 and are contributors to a potential historic

Polk Street-Neighborhood Commercial (Polk-NCD) zoning district and within project would require a lot merger and a variance for exemption from the rear n 134 of the San Francisco *Planning Code*.

ver(s), if Applicable: 200503167620, 200503167628, and 200503167629

VE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

Mitigation measures, if any, included in this project to avoid potentially significant effects: Page 30

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ervisor Aaron Peskin, Board of Supervisors – District 3
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2003.1234E

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Lead Agency: Planning Department, City and County of San Francisco
1660 Mission Street, San Francisco, CA 94103

Agency Contact Person: Sarah Jones

Telephone: (415) 558-5976

Project Title: 2003.1234E – 1461-1465 Pine Street

Project Sponsor: Cormac Investments Inc.

Project Contact: Bruce D. Baumann & Associates, Bruce Baumann

Telephone: (415) 551-7884

Project Address: 1461-1465 Pine Street

Assessor's Block and Lot: Block 0668, Lots 12 and 13

City and County: San Francisco

Project Description: The 9,000-square-foot site comprises two parcels at 1461 and 1465 Pine Street, Assessor's Block 0668, Lots 12 and 13. The project site is located midblock on the south side of Pine Street on the block bordered by Pine, Larkin, Bush, and Polk Streets. The site is a through lot which extends to Frank Norris Street, a small, mid-block access alleyway parallel to Pine and Bush Streets. The proposed project would include the construction of a five-story plus basement building consisting of 35 residential units over 710 square feet of ground floor retail space and 35 parking spaces. The parking spaces would be located at ground level and in a sub-grade parking garage accessed from Frank Norris Street. The proposed structure would be approximately 47,425 square feet in size and approximately 50 feet in height. The existing 6,000 square foot, one-story commercial building at 1461 Pine Street and 3,000 square foot, one-story automobile repair facility at 1465 Pine Street would be demolished. The existing buildings were constructed in 1911 and 1917 and are contributors to a potential historic district.

The project site is located within the Polk Street-Neighborhood Commercial (Polk-NCD) zoning district and within a 65-A height and bulk district. The project would require a lot merger and a variance for exemption from the rear yard requirements specified in Section 134 of the San Francisco *Planning Code*.

Building Permit Application Number(s), if Applicable: 200503167620, 200503167628, and 200503167629

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

Mitigation measures, if any, included in this project to avoid potentially significant effects: Page 30

cc: Bruce Baumann, Project Contact
Kelley Amdur-NE Quadrant
Supervisor Aaron Peskin, Board of Supervisors – District 3
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2003.1234E

INITIAL STUDY
2003.1234E – 1461 Pine Street

PROJECT DESCRIPTION

The project site is located at 1461 and 1465 Pine Street, Assessor's Block 668, Lots 12 and 13, which together are approximately 9,000 square feet in size. The site is located midblock on the south side of Pine Street on the block bounded by Pine, Larkin, Bush, and Polk Streets. The site is a through lot that extends to Frank Norris Street (formerly Austin Street), which is a 35-foot-wide mid-block alleyway that runs between and parallel to Pine and Bush Streets (see Figure 1).

The proposed project would involve the demolition of the two existing 6,000 square foot and 3,000 square foot one-story buildings on the sites and the construction of a five-story, approximately 50-foot-tall building, consisting of 35 residential units over ground floor retail, with 35 parking spaces at the ground and basement levels accessed from Frank Norris Street. The proposed building would cover the entire site at grade level. An 888-square-foot (25' x 35.5') terrace would be located approximately midway between the front and rear of the property along the western property line starting at the first residential level, creating a light court for the upper levels. The proposed building would include about 23,185 square feet of residential space, approximately 710 square feet of retail space, approximately 10,950 square feet devoted to parking, and approximately 12,580 square feet of space for storage and circulation, for a total of approximately 47,425 square feet.

The proposed 35 residential units would include four two-bedroom units and 31 one-bedroom units. The project would provide four below market rate units pursuant to Section 315 of the San Francisco *Planning Code*. Thirty-two of the units would include private balconies and the remaining three units would have access to the second-floor terrace. The useable open space in the building would meet the useable open space required for residential units in new or expanded buildings pursuant to Section 134 of the *Planning Code*. The project sponsor is seeking a rear yard variance pursuant to Section 305 of the *Planning Code* to allow for an exception to the rear yard requirements specified in Section 134 of the *Planning Code*. An eight-foot-high stair and elevator penthouse is also proposed. Figures 2-7 show the proposed floor plan and elevations of the proposed building.

PROJECT SETTING

The project site is located in the Nob Hill neighborhood of San Francisco, in the area known as "Polk Gulch". The site is within the Polk Street-Neighborhood Commercial District (Polk-NCD), and is in a 65-A height and bulk district. The immediate area surrounding the project site includes a mix of residential, commercial, and institutional uses. The Polk-NCD extends south to Post Street and north to Filbert Street and varies in width from one to two blocks. The project site borders a single-site P (Public) District, which comprises Redding Elementary School on the eastern edge of the project site. Aside from this P District, the boundary of the Polk-NCD zoning district lies east of the project site to the other side of Larkin Street. Properties east of the Polk-NCD are zoned RC-4 (Residential-Commercial High Density) along Pine Street. Properties to the west of the Polk-NCD bordering Van Ness Avenue are zoned RC-4 and are also in the Van Ness Special Use District.

The project site is located midblock on the south side of Pine Street between Polk and Larkin Streets. The existing buildings on the site are occupied by a retail plant nursery at 1461 Pine (Plant Warehouse) and an auto repair facility at 1465 Pine (Auto Sport Haus). Immediately to the east of the subject property is a three-story, approximately 50-foot

high public elementary school. The school is U-shaped with a ground-level playground bordering Frank Norris Street. Just south of the project site, between Frank Norris and Bush Streets and fronting on Bush Street, are a 13-story residential building, a parking lot with a rooftop play area used by Redding Elementary School, and some one- and two-story commercial properties. To the west of the project site, there are two two-story residential over commercial properties and the four-story Baker Hotel at the corner of Polk and Pine Streets. Across Pine Street, to the north of the project site, are a mix of commercial and residential uses, including a seven-story residential building with a Post Office occupying the first three floors, and a mixture of one- to three-story residential over commercial buildings with a range of architectural styles. The area immediately surrounding the project contains a wide variety of building types, heights and uses, while the areas east and west of the site are characterized by more consistent development patterns, with four- and five-story residential buildings east of Larkin Street in the Nob Hill area and larger scale commercial uses and some residential and office midrises closer to Van Ness Avenue. St. Francis Medical Center is located southeast of the project site on the block bounded by Bush, Larkin, Pine, and Hyde Streets.

The project site is a gently lateral-sloping lot along Pine Street and is downsloping from the front property line. There is a 1.5-foot increase in elevation from the west edge of the property (closest to Polk Street) to the eastern edge, and a 3- to 3.5-foot decrease in elevation from Pine Street to Frank Norris Street.

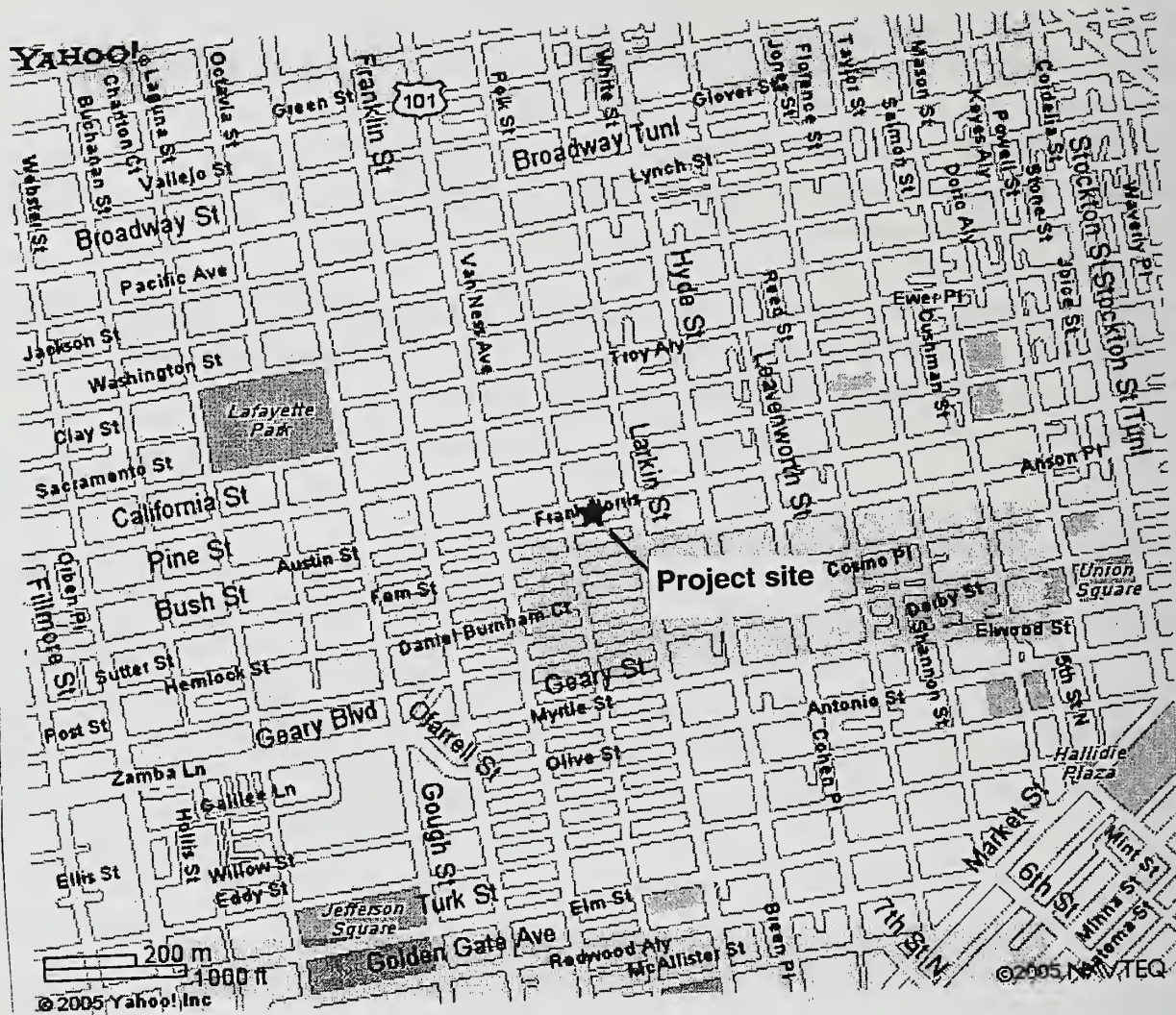


Figure 1
Project Location

Not to Scale

Source: Yahoo Maps

1461

Pine
Street

Architectural Consultants
San Francisco • Oakland

GARY
GEE
AIA

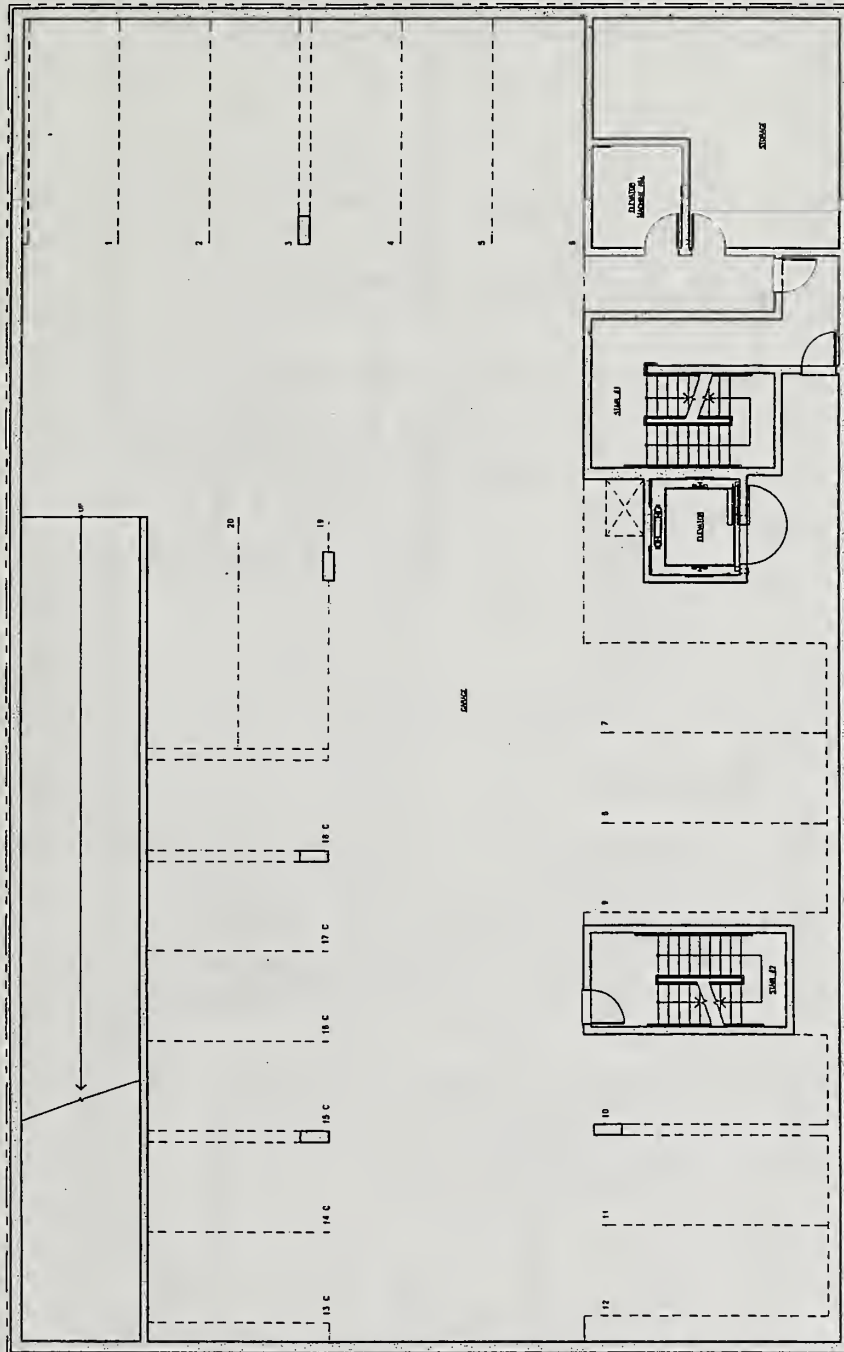
GARY GEE ARCHITECTS, INC.
19 Maple Street, 4th
Floor
San Francisco, CA 94102
Tel: (415) 398-1001
Fax: (415) 398-1001

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Basement
Level Plan

Scale: 1/4" = 1'-0"

A2.1



BASMENT LEVEL PLAN

SCALE: 1/4" = 1'-0"

Figure 2
Basement Plan

Source: Gary Gee AIA

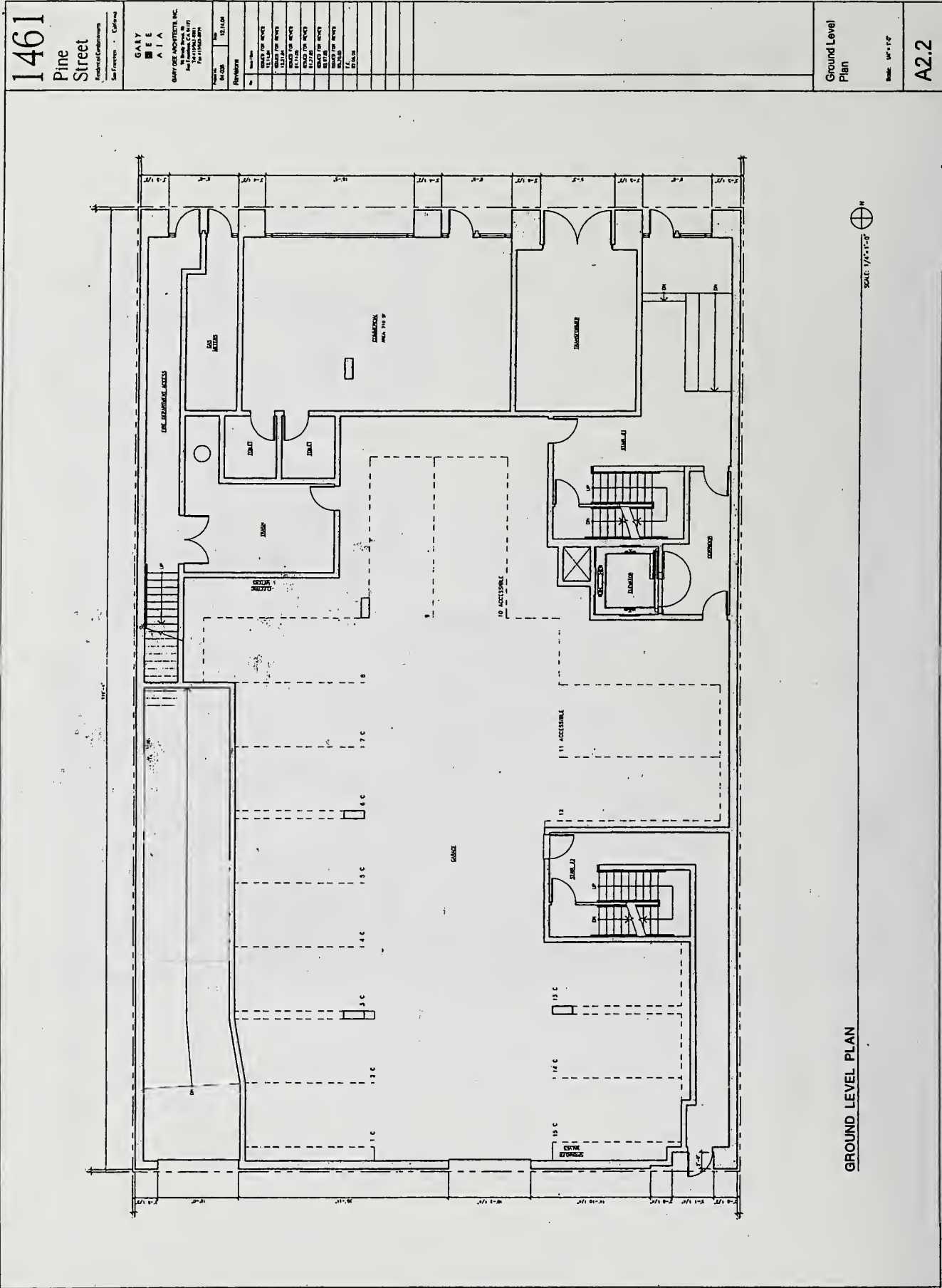


Figure 3
Ground Floor Plan

Source: Gary Gee AIA

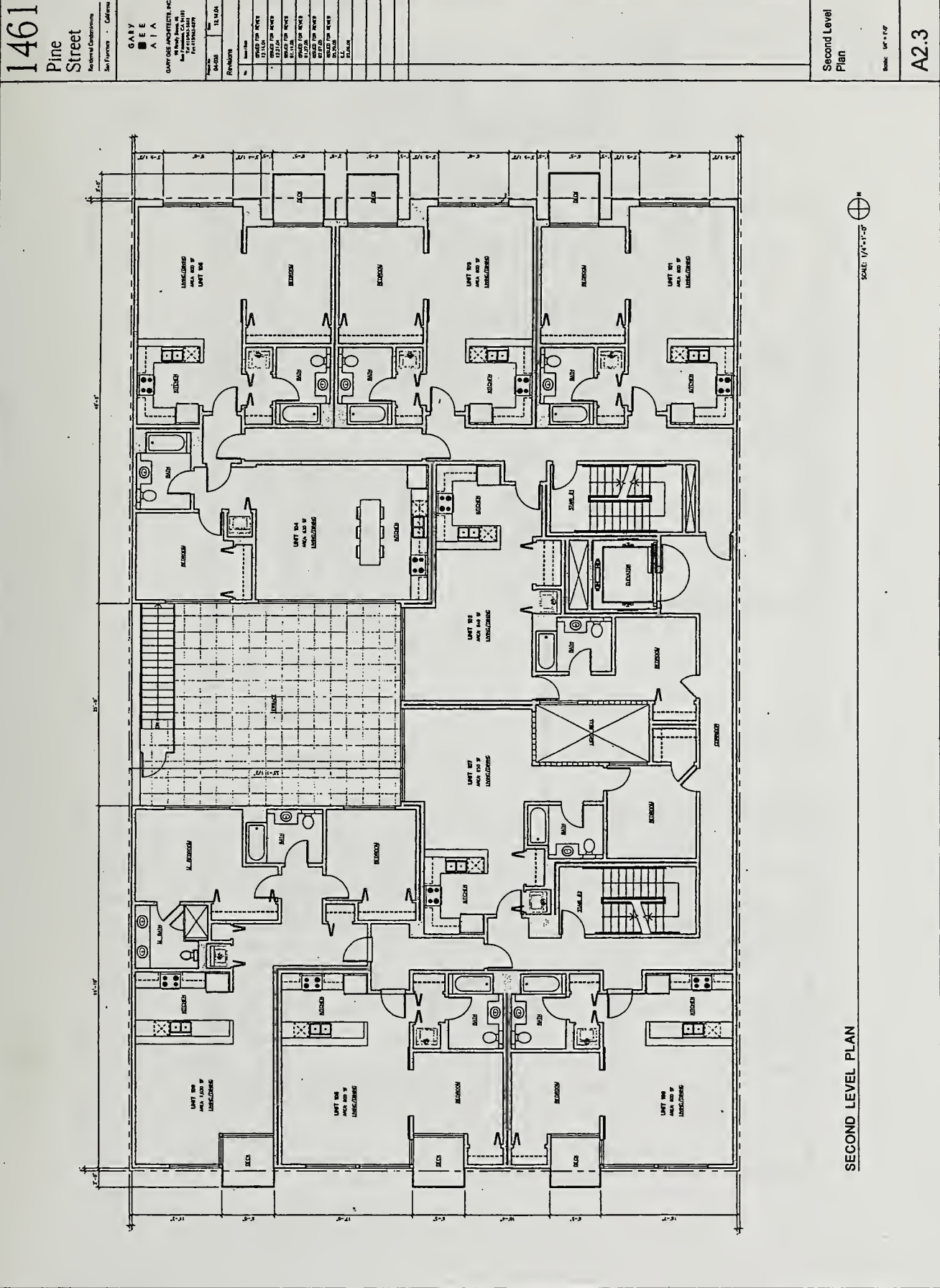


Figure 4
Second-Fourth Floor Plans

Source: Gary Gee AIA

1461

Pine
Street

Architect's Office
San Francisco, California

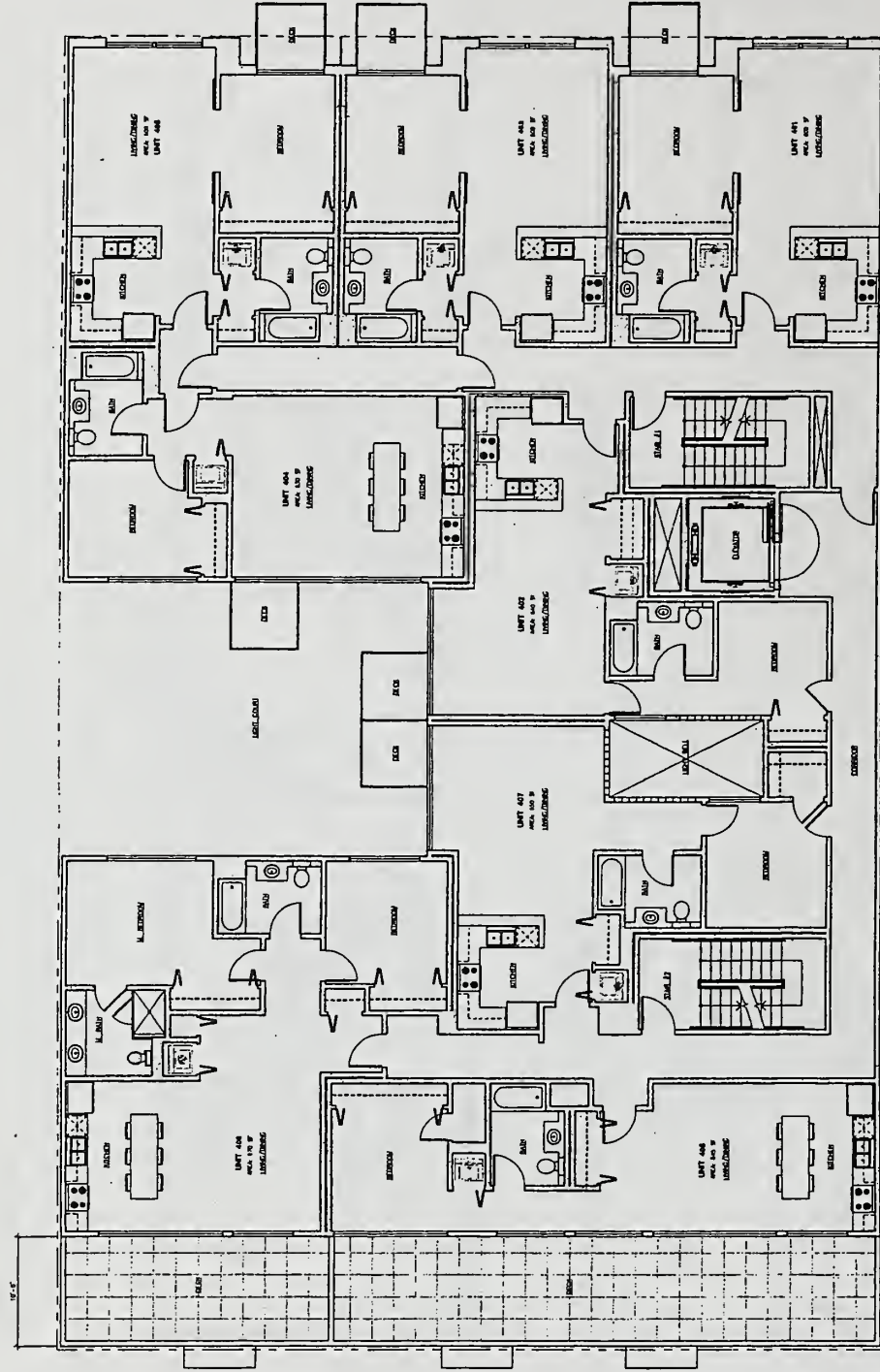
GARY
AIA
DAY GEE ARCHITECT, PC
1461 PINE STREET, SUITE 100
SAN FRANCISCO, CA 94109
TEL: (415) 398-1000
FAX: (415) 398-1001

Project	04-025	Date	11.10.04
Drawings			
1	1461 PINE STREET		
2	1461 PINE STREET		
3	1461 PINE STREET		
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Fifth Level Plan

Scale: 1/4" = 1'-0"

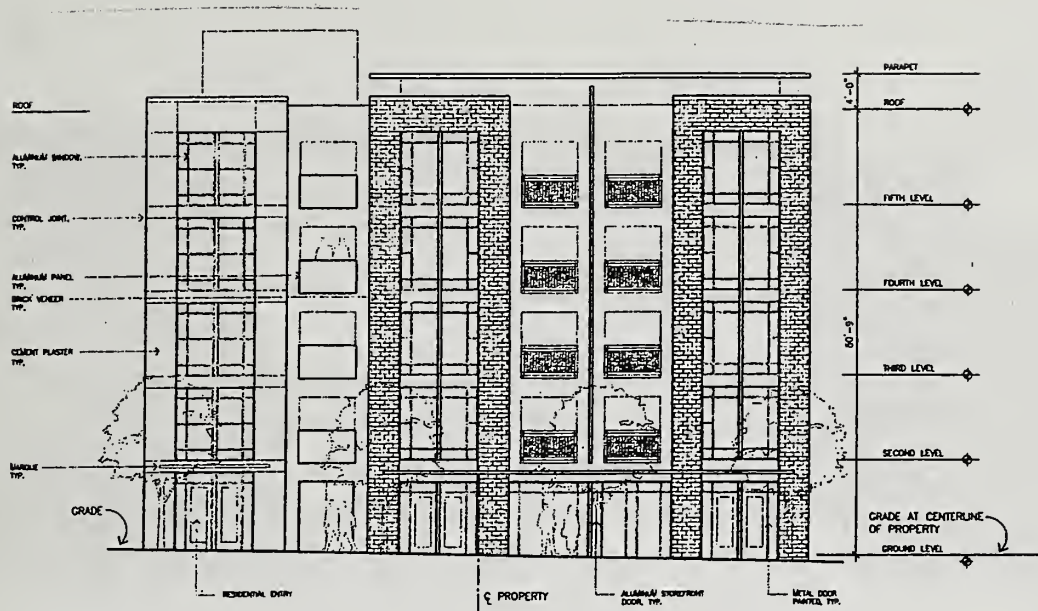
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FIFTH LEVEL PLAN

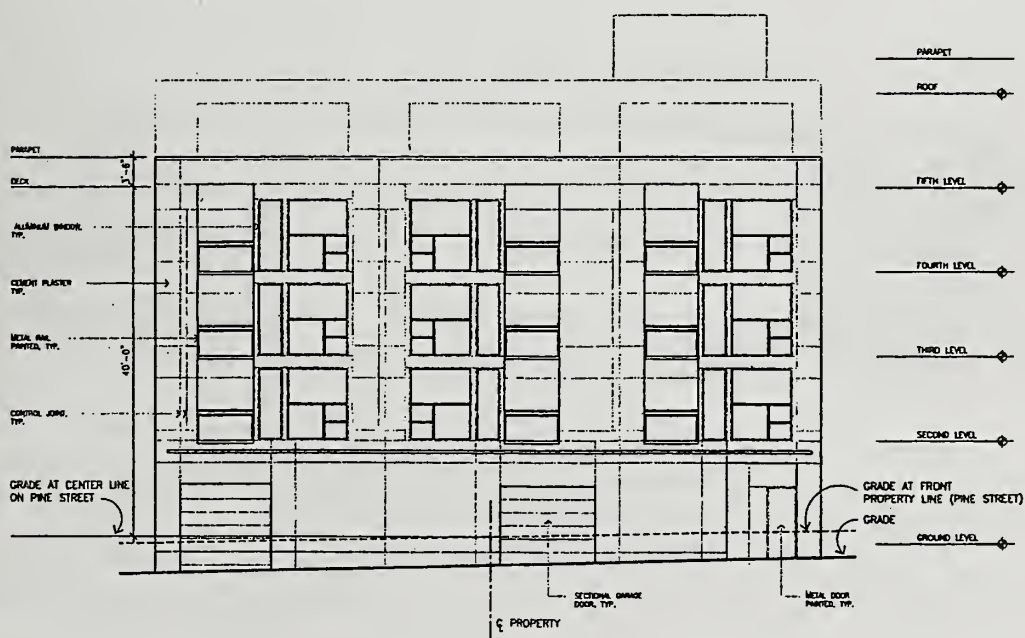
Figure 5
Fifth Floor Plan

Source: Gary Gee AIA



NORTH ELEVATION

SCALE: 1/8"=1'-0"

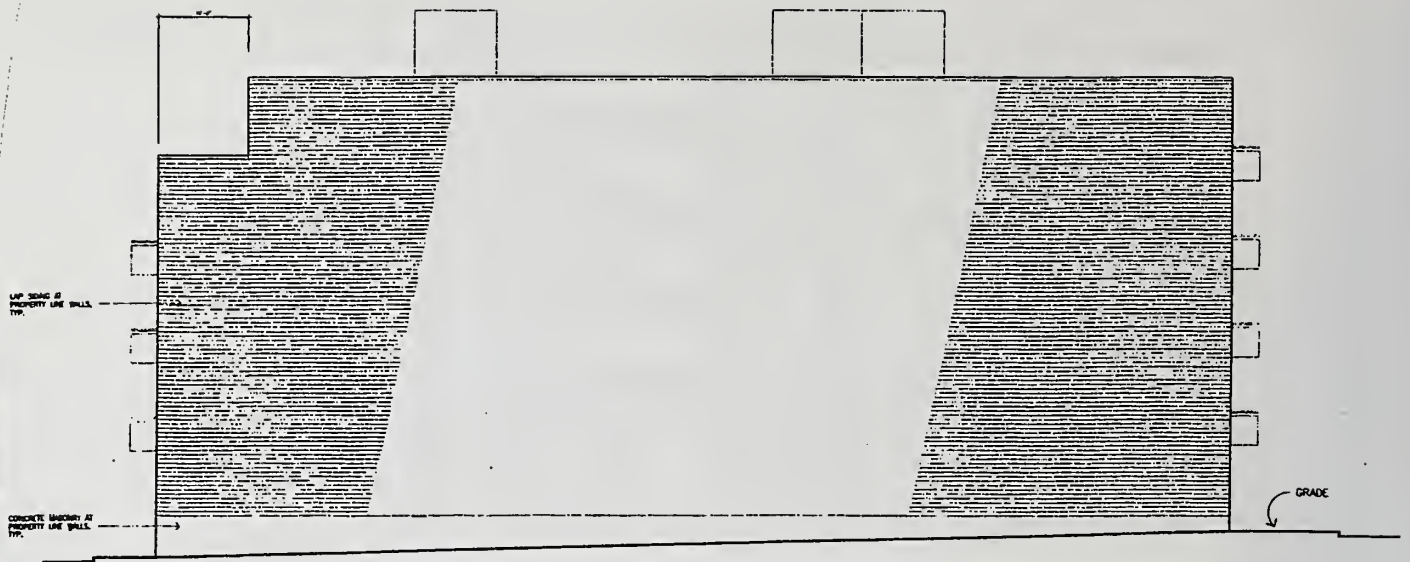


SOUTH ELEVATION

SCALE: 1/8"=1'-0"

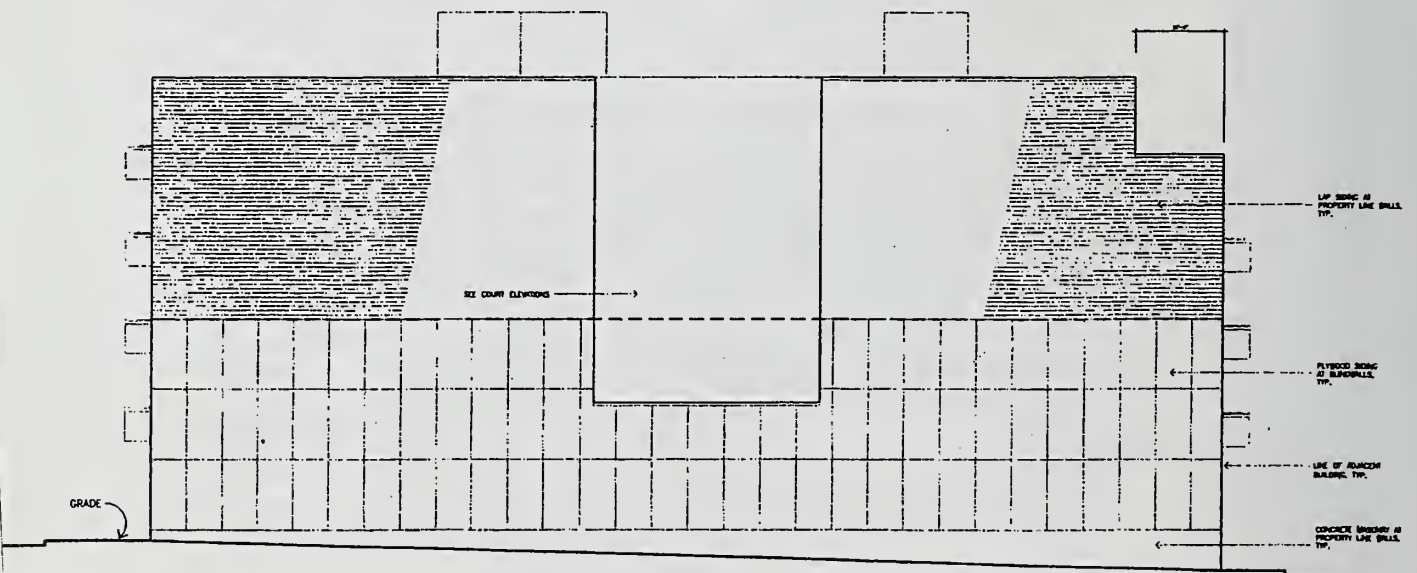
Figure 6
North and South Elevations

Source: Gary Gee AIA



EAST ELEVATION

SCALE: 1/8"=1'-0"



WEST ELEVATION

SCALE: 1/8"=1'-0"

Figure 7
East and West Elevations

Source: Gary Gee AIA

<u>A. COMPATIBILITY WITH EXISTING ZONING AND PLANS</u>	<u>Not Applicable</u>	<u>Discussed</u>
1) Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable.	—	<u>X</u>
2) Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.	—	<u>X</u>

The San Francisco *Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*. Approval of the proposed project would result in an intensification of development on the project site, the specific impacts of which are discussed below under the relevant topic heading.

The proposed project includes a residential development with ground floor retail, both of which are permitted uses in the Polk-NCD zoning district. The Polk-NCD district permits one dwelling unit for each 400 square feet of lot area, not exceeding the number of dwelling units permitted in the nearest Residential District, provided that the maximum density ratio is in no case less than the amount set forth in table 723.1. The nearest Residential District is RC-4 (Residential-Commercial High-Density), immediately east of the project site. RC-4 permits one dwelling unit for each 200 square feet of lot area, therefore allowing a maximum of 45 dwelling units at the project site. The proposed project would provide 35 dwelling units and thus would not exceed the dwelling unit density limit.

The site is in a 65-A height and bulk district, which would permit construction to a height of 65 feet provided that proposals above 40 feet include a maximum building length of 110 feet and a maximum diagonal length of 125 feet. The proposed project would comply with the height and bulk requirements. The proposed project would be 50 feet in height, with a proposed four-foot parapet and eight-foot elevator penthouse extending above the roofline which would be exempt from the height limit pursuant to *Planning Code* Section 260(b)(1) and (2). Therefore, the proposed new structure would be in conformance with the height and bulk district.

Under Section 151 of the *Planning Code*, the parking requirement is one space per residential unit and no spaces for retail of less than 5,000 square feet. Therefore, 35 parking spaces are required and 35 parking spaces are proposed as part of the project.

The proposed project would provide 2,480 square feet of open space on private decks and terraces, which would meet *Planning Code* requirement per Section 723.93. In the Polk-NCD zoning district, a 25% rear yard is required at all residential levels. The applicant has requested a variance to allow a central light-court terrace to be located at the center of the property rather than the 25% rear yard.

Section 315 of the *Planning Code* sets forth the requirements and procedures for the Residential Inclusionary Affordable Housing Program. Under Section 315.4(a)(2), On-Site Housing Requirement and Benefits, these requirements would apply to projects which consist of ten or more units or require a Conditional Use. The proposed project would meet the requirement by providing four affordable units. The proposed project would comply with all other relevant *Planning Code* requirements.

Environmental plans and policies are those, like the *Bay Area Air Quality Plan*, that directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The current proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

The *San Francisco General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The proposed project would not obviously or substantially conflict with any such policy. In general, potential conflicts with the *General Plan* are considered by decision makers independently of the environmental review process, as part of the decision whether to approve or disapprove a proposed project. Any potential conflict not identified here could be considered in that context, and would not alter the physical environmental effects of the proposed project.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City Planning Code to establish eight Priority Policies. These policies are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character; (3) preservation and enhancement of affordable housing; (4) discouragement of commuter automobiles; (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; (6) maximization of earthquake preparedness; (7) landmark and historic building preservation; and (8) protection of open space. Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. The case report and approval motions for the project would contain the analysis determining whether the proposed project is in consistent with the Priority Policies.

B. ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist have been checked "No," indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect. Several of those Checklist items have also been checked "Discussed," indicating that the Initial Study text includes discussion about those particular issues. For all of the items checked "No," without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Department, such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

1) <u>Land Use</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Disrupt or divide the physical arrangement of an established community?	—	<u>X</u>	<u>X</u>
(b) Have any substantial impact upon the existing character of the vicinity?	—	<u>X</u>	<u>X</u>

There are currently two one-story buildings on the proposed project site, which together occupy the entire subject properties. The building at 1461 Pine Street is 6,000 square feet. It was originally constructed as an automobile repair

garage, and is currently occupied by the Plant Warehouse nursery. The building at 1465 Pine Street is a 3,000 square foot automotive repair garage. Under the proposed project, the existing 25- and 20-foot-tall buildings (1461 and 1465 Pine, respectively) would be demolished and a new five-story, approximately 50-foot-tall, 35-unit residential building with 710 square feet of retail space would be constructed. This change in land use on the site would not be considered a significant impact because the site is within the Polk-NCD zoning district, where the proposed uses are permitted and would be compatible with existing uses on adjacent and surrounding properties.

The proposed project entails demolition of the two existing single-story buildings and replacement of them with a larger structure. 1461 and 1465 Pine Streets are currently the only single-story buildings on this block of Pine Street. At 54 feet high (with the proposed four-foot parapet), the proposed structure would be slightly taller than the neighboring 52-foot elementary school and would be the tallest building on the block. The proposed stair and elevator penthouse would protrude four feet above the level of the parapet on one part of the structure. The proposed building still would be smaller than the seven-story residential building directly across from a portion of the project site on the north side of Pine Street and the 13-story Terraces apartment building near the rear of the property, fronting on Bush Street and extending to Frank Norris Street. The existing buildings on the site and the effects of their demolition on the surrounding area are described in greater detail in the Cultural Resources section of this document.

With the exception of the neighboring elementary school, the predominate uses in the neighborhood are a combination of commercial and multi-family residential buildings over ground floor retail. As discussed under Project Setting above, the project site borders the RC-4 zoning district and is located in an area with a mix of high-density dwellings with supporting commercial uses. The proposed 35-unit building would not be considered a significant impact for a variety of reasons. As noted in *Planning Code* Section 723.1 Polk-NCD, Larkin Street and side streets in the district have a greater proportion of residences than Polk Street itself. The Polk Street controls are designed to encourage and promote development which is compatible with the surrounding neighborhood. The zoning controls large-scale development and protects rear yards at residential levels. Housing developed in new buildings is encouraged above the second floor. The proposed residential use would not be considered a substantial physical land use change, because it is a principally permitted use and is a predominant use in the area. The proposed project would not be substantially or demonstrably incompatible with the existing multi-family residential and commercial uses in the project area.

Land use impacts are considered to be significant if the proposed project would disrupt or divide the physical arrangement of an established community, or have a substantial impact upon the existing character of the vicinity. As described above, the proposed project would not disrupt or divide the physical arrangements of existing uses and activities that surround it. Those surrounding uses and activities would continue on their own sites and would interrelate with each other as they do presently, without significant disruption from the proposed project. The proposed density would fit within the existing allowable residential density for the site. The proposed project involves the construction of a multi-family residential/commercial building that would be consistent with the prevailing uses in the vicinity and would be an in-fill development in a relatively dense urban area. The proposed project would have no substantial effect upon the character of the area. Overall, effects related to land use would not be significant.

2) <u>Visual Quality</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Have a substantial, demonstrable negative aesthetic effect?	—	<u>X</u>	<u>X</u>
(b) Substantially degrade or obstruct any scenic view or vista now observed from public areas?	—	<u>X</u>	<u>X</u>
(c) Generate obtrusive light or glare substantially impacting other properties?	—	<u>X</u>	<u>X</u>

Building heights on the project block generally range from two to four stories, with some mid-rise residential building of seven or more stories nearby. The elementary school bordering the project site is 52 feet in height and is unusually tall for a three-story building. The proposed building would be approximately 50 feet in height, with an additional four-foot parapet as well as an eight-foot stair and elevator penthouse, which is consistent with the height and bulk district in which it is located (65-A). Because the project is situated on a street with only a slight lateral slope, the height of the building is measured at the building centerline (i.e., 37.5 feet from each side property line). The proposed project would be slightly taller than the neighboring school and would be one to three stories taller than the other buildings on the block, but would not be taller than several other buildings in the immediate area.

The proposed size, scale, and density of the building would fit within the existing height limit and allowable density for the site. The proposed project would not have a substantial, demonstrable negative aesthetic effect within its urban setting because of its consistency of use and scale with other buildings in the immediate vicinity of the project site. The design of the proposed building would be modern but not uncommon in this area where sites are being redeveloped with newer structures. The proposed project would not adversely affect the existing visual character of the neighborhood, nor would it have a substantial, demonstrable negative aesthetic effect within its urban setting because of the large diversity of nearby structures. The proposed project's final architectural design and facade work would undergo evaluation during the Planning Department's design review process, separate from the environmental review.

There is no existing public scenic view or vista available from the project site or its vicinity; therefore, the proposed project would not block or degrade any existing public scenic views or vistas. The proposed project would change views of the site, and would potentially increase shade to buildings directly adjacent to the project site. The Redding Elementary School building has windows on its west side, which would be blocked by the proposed structure. However, there is a narrow alleyway between the school and the proposed project site, which would maintain some natural light into these classrooms. Although some reduced private views and increased shade would be an unavoidable consequence of the project and would be an undesirable change for those individuals affected, the proposed project would not substantially degrade or obstruct scenic views from public areas. While this loss or change of views might be of concern to adjacent property owners and area residents, and would be a design issue worthy of discussion and consideration as part of the City's decision to approve or disapprove the project, it would not be considered a significant environmental effect pursuant to CEQA. Given the urban nature of the project setting, blockage of private views would not be considered a significant environmental effect.

The proposed building would not generate obtrusive light or glare because the proposed uses would not generate substantially more light or glare than the existing uses in the neighborhood. Furthermore, the project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. In view of the above, the proposed project would not result in a significant effect with regard to Visual Quality.

3) <u>Population</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Induce substantial growth or concentration of population?	<u>—</u>	<u>X</u>	<u>X</u>
(b) Displace a large number of people (involving either housing or employment)?	<u>—</u>	<u>X</u>	<u>X</u>
(c) Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	<u>—</u>	<u>X</u>	<u>—</u>

There are currently two businesses operating in the existing buildings, the Plant Warehouse at 1461 Pine Street and the Auto Sport Haus at 1465 Pine Street. These businesses employ a total of 12 people, and both businesses are seeking other sites within San Francisco for relocation.

During the period of 1990-2000, the number of new housing units completed in San Francisco ranged from a low of about 380 units (1993) to a high of about 2,065 units (1990) per year. The citywide annual average over that 10-year period was about 1,130 units.¹ In March 2001, The Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination 1999-2006 allocation. The jurisdictional need of the City through 2006 is 20,372 dwelling units, or an average need of 2,716 net new dwelling units per year. The proposed project would add 35 residential units to the City's housing stock, helping to meet this need.

Based on the household density factor for San Francisco of 2.3 persons per unit, the proposed development, which includes 31 one-bedroom units and four two-bedroom units, would house up to about 80 people.² The 710 square feet of commercial space would potentially add two retail workers on the site.³ Thus, the proposed project would potentially increase the on-site daily population by about 82 persons. While potentially noticeable to the immediately adjacent neighbors, the increase in numbers of potential residents and workers on the project site would not substantially increase the area-wide population, and the resulting density would not exceed levels that are common and accepted in high-density urban areas such as San Francisco. Therefore, the project's projected population increase would not be a significant effect.

¹ San Francisco Planning Department, *Housing Element- Adopted*, May 13, 2004, p. 73.

² The household density of 2.30 for the City of San Francisco was taken from San Francisco Planning Department, *Housing Element- Adopted*, May 13, 2004. The source for this number is cited as U.S. Census Bureau.

³ Retail employment density is estimated at one employee per 350 square feet based on the San Francisco Planning Department *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002.

4) <u>Transportation/Circulation</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	—	<u>X</u>	<u>X</u>
(b) Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	—	<u>X</u>	<u>X</u>
(c) Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	—	<u>X</u>	<u>X</u>
(d) Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	—	<u>X</u>	<u>X</u>

The site is located on the south side of Pine Street, bounded by Larkin Street to the east, Bush Street to the south, and Polk Street to the west. Frank Norris Street, a mid-block alleyway that runs parallel to and between Bush and Pine Streets, borders the south side of the project site. Frank Norris Street is known as Austin Street for all but the block between Polk and Larkin Streets and extends from Octavia Street to Larkin Street; it is one-way westbound between Octavia and Franklin Streets and one-way eastbound from Franklin Street to its terminus at Larkin Street. Pine Street is an east-west roadway, one-way westbound for its entire length from Davis Street to Presidio Avenue. This portion of Pine Street is 68-feet wide, with on-street metered parking on both sides of the street. Pine Street is designated as a Major Arterial⁴ in the *San Francisco General Plan*. Polk Street is designated as a Neighborhood Commercial Street and Larkin Street is designated as a Secondary Arterial⁵, a Secondary Transit Street, a Neighborhood Commercial Street, and a citywide bicycle route in the *San Francisco General Plan*.⁶ Van Ness Avenue, which runs parallel to Polk Street one block to the west, has six traffic lanes plus parking on both sides. It is one of the most important transportation routes in the City and is designated as a Major Arterial, a Primary Transit Street – Transit Important⁷, a Citywide Pedestrian Network Street, and a Neighborhood Commercial Street in the *San Francisco General Plan*. Van Ness Avenue also serves as a portion of US 101 through San Francisco.

Traffic

Based on the trip rate for residential use in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002), the proposed project would generate an estimated 379 average daily person-trips (7.5 trips per one-bedroom unit, 10 trips per two or more bedroom unit, and 107 trips by the retail space), of which there would be about 57 p.m. peak person-trips (4:30 to 5:30 P.M.). These 57 p.m. peak hour person-trips would be distributed among various modes of transportation, including about 17 automobile person-trips, 20 transit trips, 17 walking trips, and three trips by other means which include bicycles and motorcycles. This is assuming that all trips would be new and does not take into account trips to and from the project site that are generated by the existing uses. Mode split data for the uses were obtained from the *Guidelines* for Census Tract 111. Mode split data for non-residential land uses were obtained from the *Guidelines* for values in Superdistrict 1. An average vehicle occupancy

⁴ Major Arterials are cross-town thoroughfares whose primary function is to link districts within the City and to distribute traffic to and from the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses. *San Francisco General Plan, Transportation Element-Maps 6 and 7, Adopted July 1995.*

⁵ Secondary Arterials- Primarily intra-district routes of varying capacity serving as collectors for the major thoroughfares; in some cases supplemental to the major arterial system. *San Francisco General Plan, Transportation Element-Map 6, Adopted July 1995.*

⁶ *San Francisco General Plan, Transportation Element- Maps 9 and 11, Adopted July 1995.*

⁷ Primary Transit Street – Transit Important are major arterials with high transit ridership, high frequency of service, or surface rail. *San*

rate in persons per vehicle of 1.14 for residential-based trips, 1.54 for work trips generated by the retail space, and 2.43 for the non-work trips generated by the retail space (obtained from the *Guidelines*) was applied to the number of auto person-trips to determine the number of vehicle-trips generated by the proposed project.

As set forth in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, the Planning Department evaluates conditions in the p.m. peak-period during the weekdays in determining the significance of an adverse environmental impact. Traffic conditions during the weekday p.m. peak hour are assessed since they represent the worst conditions of the local transportation network. The proposed project would generate approximately 12 p.m. peak hour vehicle trips. Residents and businesses along Pine, Polk, and Larkin Streets could experience an increase in vehicular activity as a result of the proposed project; however, it would not be above levels which are common and generally accepted in urban areas. The change in traffic in the project area as a result of the proposed project would be undetectable to most drivers, although it could be noticeable to those immediately adjacent to the proposed project site. The proposed project would add a small increment to the cumulative long-term traffic increase on the local roadway network in the neighborhood and to other land use and development changes in the region.

Transit

It is estimated that approximately 20 p.m. peak-hour project trips would utilize public transit. East-west routes which serve the project site are the MUNI 1 (California) which operates on Sacramento and Clay Streets, 2 (Clement), 3 (Jackson), and 4 (Sutter), which operate on Post and Sutter Streets, and 38 (Geary) operate on Geary Street. North-south routes serving the site are the 19 (Polk) which operates on Polk Street, the 27 (Bryant) which operates on Hyde and Leavenworth Streets, and the 47 (Van Ness) and 49 (Van Ness-Mission), which operate on Van Ness Avenue. All of these bus lines have stops within three blocks of the project site, with the closest stops being the 19 (Polk) stop at Polk and Pine Streets (northbound and southbound), and the 2 (Clement), 3 (Jackson), and 4 (Sutter) stop at Sutter and Polk Streets (eastbound and westbound). The 1, 31, and 38 AX and BX Express bus services bypass the project site on Pine Street. The California Street cable car line also operates within one block of the project site. The estimated 20 p.m. peak hour transit trips would be distributed among the various MUNI transit lines. This increase in transit demand associated with the proposed project would not have a significant or noticeable impact upon transit services in the project area or affect transit operations.

Parking

Currently, metered parking is allowed on both sides of Pine and Polk Streets and on the south side of Frank Norris Street. Two-hour or permit parking is provided on both sides of Larkin Street. San Francisco *Planning Code* Section 723.1 requires dwelling units to provide one parking space per unit in the Polk-NCD zoning district. The proposed project includes 35 spaces and meets the parking requirement. The spaces would be located in an at- and sub-grade garage accessed from Frank Norris Street. The commercial parking requirement is only in effect when the occupied floor area exceeds 5,000 square feet; thus the proposed 710 square feet of retail space would not be required to provide parking.

It should be noted that parking demand is different than the *Planning Code* parking requirement. Parking demand is the amount of daily parking need generated by a proposed project. Based on the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, the proposed uses would create a parking demand of about 42

daily spaces. The proposed project would therefore have an unmet parking demand of approximately seven spaces. This unmet parking demand could be overstated, however, because as indicated by Census tract data, the majority of people in this area either walk or take transit to their destinations.⁸ The unmet parking demand generated by the proposed project would result in some increase in use of on-street parking and the nearby City-owned parking structure at the corner of Bush and Polk Streets. Although on-street parking was available on neighboring streets during the weekday morning that the Planning Department staff visited the project site, the available off-street spaces might not adequately meet the parking demand of the proposed project, causing project-generated traffic to compete for a decreased supply of parking relative to demand in the area.

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their mode and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents, should however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines Section 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increase traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular would be in keeping with the City's "Transit First" policy. This policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well-served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project site is located in an area served by transit. Given the relatively small unmet parking demand (i.e., seven daily spaces) and the relatively brief period of time when such a deficit would occur, the increased parking demand would not substantially alter the existing character of the areawide parking situation.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, reasonably addresses potential secondary effects.

⁸ According to the 2000 U.S. Census Journey to Work data, residents of Census Tract 111 where the project site is located use the following modes for work trips: car/truck/van 26% (with 1.14 workers per car truck or van); public transportation 38%; motorcycle 2%; bicycle 2%; walk 29%; work at home 3%.

Loading

Based on the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, the proposed project would generate no loading demand. The *Planning Code* does not require off-street loading for residential development less than 100,000 square feet and commercial development less than 10,000 square feet in the Polk-NCD zoning district.

Pedestrian and Bicycle Conditions

The proposed project would generate approximately 57 p.m. peak-hour (4:30 to 5:30 p.m.) person-trips distributed among various modes of transportation including 17 p.m. peak hour vehicle trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict. Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

The proposed project site is located adjacent to Redding Elementary School. Students at the school typically live in the neighborhood and arrive on foot, while a minority of students are driven by their parents and dropped off on either Frank Norris Street or Pine Street. The school has no designated passenger loading area⁹. Vehicles from the proposed building would exit the garage, turn left onto Frank Norris Street (one way eastbound), and turn left onto Larkin Street (one way northbound). There is an existing school crossing sign on Frank Norris Street, as well as yellow striped crosswalks midblock on Frank Norris and at the intersection of Frank Norris with Larkin Street, which will alert drivers exiting the proposed building to the possible presence of schoolchildren.

There are a number of bicycle routes in the vicinity of the project site. Bicycle routes in the area include California Street (Route 310), which is one block north of the project site, and is a connector bike route. Sutter Street and Post Street (Route 16 westbound and eastbound, respectively) are two blocks and three blocks, respectively, to the south. Polk Street (Route 25) is less than one block to the west. The proposed development would not create any new street impact or potential conflict with pedestrian or bicycle operation, or otherwise create hazardous conditions for pedestrians or bicyclists.

Construction Impacts

During the projected 15-month construction period, temporary and intermittent traffic and transit impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. The project sponsor may apply for temporary removal of the parking spaces directly in front of the project site along Pine Street and, possibly, across from the project site on Frank Norris Street. Temporary sidewalks would be constructed to ensure pedestrian safety. Lane and sidewalk closures are subject to review and approval by DPW. The project sponsor and construction contractors would meet with the Traffic Engineering Division of the DPT, the Fire Department, MUNI, and the Planning Department to determine feasible measures to reduce traffic congestion, including pedestrian circulation impacts during construction of the proposed project. Any closure of Frank Norris Street would also affect operations at Redding Elementary School during school drop-off and pickup times. With adequate notification, the school would be able to accommodate this

⁹ Conversation between Ms. Darleen Lau, Principal, Redding Elementary School, and Sarah Jones, Planner, San Francisco Planning Department, February 22, 2006.

temporary disruption, and this is not considered a significant impact. As an improvement measure, the sponsor shall meet with representatives of Redding Elementary School and develop a plan for informing the school of planned street closures, if any.

Temporary parking demand from construction workers’ vehicles and impacts on local intersections from construction worker traffic would occur in proportion to the number of construction workers who would use automobiles. Construction workers would park in existing on-street parking spaces in the project vicinity or in the nearby parking structure. Although construction workers may have to circulate on streets in the vicinity of the project site to find available parking, the anticipated parking deficit would not substantially change the capacity of the existing street system or alter the existing parking conditions in the area. In summary, the proposed project would not have a significant impact on transportation and circulation.

5) <u>Noise</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Increase substantially the ambient noise levels for adjoining areas?	—	<u>X</u>	<u>X</u>
(b) Violate Title 24 Noise Insulation Standards, if applicable?	—	<u>X</u>	<u>X</u>
(c) Be substantially impacted by existing noise levels?	—	<u>X</u>	<u>X</u>

Ambient noise levels in the vicinity of the project are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, MUNI buses, emergency vehicles, and commercial activities. Noises generated by residential and commercial uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 decibels (dBA; a unit of measure for sound - “A” denotes the A-weighted scale, which simulates the response of the human ear to various frequencies of sound) at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of DPW to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 P.M. and 7:00 A.M., unless the Director of the DPW authorizes a special permit for conducting the work during that period.

The Department of Building Inspection (DBI) is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 A.M. to 5:00 P.M.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project, occupants of the nearby properties could be disturbed by construction noise and possibly vibration. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City’s Noise Ordinance.

Regarding noise insulation for residents, Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects (including hotels, motels, and live/work developments). DBI would review the final building plans to insure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission.

6) <u>Air Quality/Climate</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	<u>—</u>	<u>X</u>	<u>X</u>
(b) Expose sensitive receptors to substantial pollutant concentrations?	<u>—</u>	<u>X</u>	<u>X</u>
(c) Permeate its vicinity with objectionable odors?	<u>—</u>	<u>X</u>	<u>—</u>
(d) Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	<u>—</u>	<u>X</u>	<u>—</u>

Air Quality

The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. These thresholds are based on the minimum size projects which the District considers capable of producing air quality problems due to vehicular emissions. The proposed project would not exceed this minimum standard. Therefore, no significant air quality impacts due to vehicular emissions would be generated by the proposal. The proposed development requires excavation up to a depth of 12 feet below grade at the 1461 Pine Street property and an additional 2.5 feet below the existing basement level at the 1465 Pine Street property for the proposed garage. In order to reduce or avoid potential impacts to air quality associated with project construction (i.e., dust generation), the project sponsor would implement Mitigation Measure 1 listed in the Mitigation Measures section of this Negative Declaration.

Shadows

The proposed project would be approximately 50 feet in height. Section 295 of the *Planning Code* was adopted in response to Proposition K (passed in November 1984) in order to protect certain public open spaces (under Recreation and Park jurisdiction) from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the Planning Commission finds the impact to be insignificant. To determine whether this project would conform to Section 295, a shadow fan analysis was prepared by the Planning Department. The analysis determined that the project would not shade any properties subject to Section 295. A copy of the shadow fan analysis is available for review at the Planning Department, 1660 Mission Street. The new building would shade adjacent properties but would not increase the total amount of shading in the neighborhood above levels which are common and generally accepted in urban areas. The onsite playground for Redding Elementary School is already shadowed by the school itself and the proposed project would not cast any net new shadow onto the playground. There is also a play area for the school directly across Frank Norris Street on the roof of a single-level parking structure, but that property is directly south of the project site and would not experience substantial additional shadow, particularly during school hours, and is not subject to Section 295. Therefore, the proposed project would not be considered to have a significant adverse impact with regard to shadow.

For the above reasons, the proposed project would not result in a significant impact related to air quality.

7) <u>Utilities/Public Services</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Breach published national, state or local standards relating to solid waste or litter control?	—	<u>X</u>	—
(b) Extend a sewer trunk line with capacity to serve new development?	—	<u>X</u>	—
(c) Substantially increase demand for schools, recreation or other public facilities?	—	<u>X</u>	—
(d) Require major expansion of power, water, or communications facilities?	—	<u>X</u>	<u>X</u>

The proposed project is on a site that is currently served by fire, police, schools, solid waste collection, recreational facilities, water, gas, and electricity. The proposed project would increase the demand for and use of public services and utilities, water and energy consumption, but not in excess of amounts expected and provided for in this area. Therefore, the project would not result in a significant impact on public services and utilities.

8) <u>Biology</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Substantially affect a rare or endangered species of animal or plant or the habitat of the species?	—	<u>X</u>	<u>X</u>
(b) Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	—	<u>X</u>	—
(c) Require removal of substantial numbers of mature, scenic trees?	—	<u>X</u>	—

The site is within a developed area of the City, and does not provide habitat for any rare or endangered plant or animal species. No other important biological resources would be affected since the site has been disturbed for many years.

9) <u>Geology/Topography</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction).	—	<u>X</u>	<u>X</u>
(b) Change substantially the topography or any unique geologic or physical features of the site?	—	<u>X</u>	—

The San Francisco General Plan Community Safety Element contains maps that show areas of the City subject to geologic hazards. This map indicates the project site is located in an area subject to nonstructural damage ground shaking from earthquakes along the San Andreas (Map 2) and Northern Hayward (Map 3) Faults and other faults in the San Francisco Bay Area. The project site is not located in an area of liquefaction potential (Map 4), landslide hazard (Map 5), or a Seismic Hazards Study Zone (SHSZ) designated by the California Division of Mines and Geology.

A geotechnical report was prepared for the proposed project by Earth Mechanics Consulting Engineers.¹⁰ The report found low potential for fault rupture, liquefaction, lateral spreading, or landslides at the project site. The area in the vicinity of the site is underlain by Quaternary-age dune sand deposits with bedrock approximately 120 feet below the

¹⁰ Earth Mechanics Consulting Engineers, *Geotechnical Consultation for Proposed Development at 1461-1465 Pine Street, San Francisco, California*, March 21, 2006.

ground surface. With this soil composition, the site could be subject to seismically-induced settlement of up to approximately one-half inch. Like all of San Francisco, the project site could be subject to strong groundshaking during an earthquake. The geotechnical report concluded that there are no geologic hazards or geologic constraints that are atypical of the area that would limit construction of the proposed project.

The proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Decisions about appropriate foundation design and whether additional background studies are required would be determined as part of the Department of Building Inspection (DBI) review process. Background information provided to DBI would provide for the security and stability of adjoining properties as well as the subject property during construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the Building Code. Any changes incorporated into the foundation design required to meet the San Francisco Building Code standards that are identified as a result of the DBI review process would constitute minor modifications of the project and would not require additional environmental analysis.

10) <u>Water</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a)	Substantially degrade water quality, or contaminate a public water supply?	<u>—</u>	<u>X</u>	<u>X</u>
(b)	Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	<u>—</u>	<u>X</u>	<u>X</u>
(c)	Cause substantial flooding, erosion or siltation?	<u>—</u>	<u>X</u>	<u>—</u>

Project-related wastewater and storm water would continue to flow to the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. During operations, the proposed project would comply with all local wastewater discharge requirements. Therefore, the proposed project would not substantially degrade water quality. The project site is completely covered by the existing buildings. Thus, the proposed project would not change the amount of impervious surface area, and would not measurably affect current runoff or groundwater recharge. Therefore, neither groundwater resources nor runoff and drainage would be adversely affected. Significant impacts to water therefore would not occur as a result of the proposed project.

11) <u>Energy/Natural Resources</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a)	Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<u>—</u>	<u>X</u>	<u>X</u>
(b)	Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	<u>—</u>	<u>X</u>	<u>—</u>

The proposed project would meet current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. For this reason, it would not cause a wasteful use of energy, and the proposed project's effects on energy consumption would not be significant.

12) <u>Hazards</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	—	<u>X</u>	<u>X</u>
(b) Interfere with emergency response plans or emergency evacuation plans?	—	<u>X</u>	—
(c) Create a potentially substantial fire hazard?	—	<u>X</u>	—

Two Phase I Environmental Site Assessments (ESA) of the project sites were prepared by independent consultants, one for 1461 Pine Street and one for 1465 Pine Street.¹¹ The proposed project was initially planned for just the 1461 Pine Street property and was later modified to include the 1465 Pine Street property; therefore two separate ESAs were prepared. The ESAs were conducted to identify possible environmental concerns related to on-site or nearby presence of hazardous or toxic chemicals from past and present land use activities, with particular focus on the possible presence of petroleum products, regulated hazardous materials, and/or hazardous wastes.

Offsite Hazards

The ESA investigations examined the history of uses on the project site and surrounding area for potential sources of hazardous substances as a result of activities on-and off-site that may have involved handling, storage, or disposal of hazardous substances that would affect the quality of soils or groundwater. . The subject sites are not listed on any of the regulatory databases searched. The ESAs found a total of 27 current and/or former Leaking Underground Storage Tanks (LUST) sites and one additional permitted storage tank site within one-eighth mile of the subject property. All identified former LUST sites have been issued closure letters by the City of San Francisco Department of Public Health, the Hazardous Materials Unified Program Agency, and the San Francisco Bay Regional Water Quality Control Board. The nearest permitted underground storage tank site is located 100 feet to the northwest of the subject property at 1470 Pine Street. The ESAs concluded that, based on available regulatory agency information and the location of the proposed project site relative to the underground storage tank sites, it does not appear that these sites pose an environmental threat to the project site.

All hazardous waste generators are required to notify the Environmental Protection Agency (EPA) of their existence per the Resource Conservation and Recovery Act (RCRA). Forty-three RCRA small generators were identified with a one-quarter mile radius of the proposed project site, 20 of which are within one-eighth of a mile of the site. These generators include businesses such as photo shops, automobile repair, and dry cleaners. Based on regulatory agency information regarding the type and amount of materials handled at these sites, it does not appear that these RCRA small generators pose an environmental threat to the project site.

The Maher Ordinance is a San Francisco ordinance which requires certain environmental actions for various sites, primarily those "Bayward of the high-tide line." The project site is not within the limits of the ordinance.

¹¹ GPI Environmental Management, *Phase I Environmental Site Assessment for 1461 Pine Street, October 10, 2003* and ACC Environmental Consultants, *Phase I Environmental Site Assessment for 1465 Pine Street, November 25, 2003*. A copy of these reports is on file with the Planning Department at 1660 Mission Street, Suite 500 and is available for public review by appointment as part of the project file 2003.1234E.

Onsite Hazards

The ESA for 1461 Pine Street indicates that the proposed project site has been occupied by automobile repair and related businesses since the building was constructed in 1913, with the exception of the current retail nursery establishment. The property has not historically been used for any other activities associated with the storage, handling, use, or disposal of regulated quantities of petroleum and/or other hazardous materials or waste. The investigation found no evidence of improper handling, disposal, or spillage of regulated hazardous materials within the structure. Before the Plant Warehouse nursery occupied the building, the site was used as an Oil Changers automobile service facility. Based on site observation there is no evidence that the previous Oil Changers posed an environmental liability to the property. There is no record indicating that Oil Changers had an underground storage tank on the site. The ESA did note that there were three sealed floor drain inlets which at one time could have served as a conduit for hazardous materials to migrate into the near-surface soil or groundwater.

1465 Pine Street has been in automotive-related use since at least 1948 and possibly earlier, and remains in that use today. Hazardous materials stored onsite exceeded the State of California Health and Safety Code (HSC) 25506(b) threshold levels for reporting, and a Hazardous Materials Business Plan has been filed with the San Francisco Department of Public Health. There were minor spills and staining on the ground floor and heavy staining on the wood floor at the mezzanine level. According to the Phase I ESA, the material stored on site was determined to pose a low risk for potential impact to the environment.

The ESA concluded that while there is no evidence that the soil and groundwater beneath the properties have been contaminated by on-site activities, the potential exists that any site development activities which disturb subsurface material may encounter contaminated media which could require special handling. Therefore, it is recommended that prior to any site development that would disturb subsurface material, a subsurface investigation be performed. The purpose of the work would be to identify and define areas of impacted soil. Implementation of Mitigation Measure 2 listed in the Mitigation Measures section of this Initial Study would reduce or avoid any potential public health hazard as a result of disturbing soil contaminated with hazardous materials during excavation and other construction activities on the project site.

Asbestos

1461 Pine Street was remodeled in 1992. Building materials used for the interior space and roof therefore postdate the 1974 ban on asbestos-containing building materials (ACBM). Older components of the building would need further evaluation to determine the presence of ACBM. There were some suspect ACBM identified at the 1465 Pine Street property in the Phase I ESA, including the vinyl floor tiles and the gypsum wallboard and texturing compounds.

The existing buildings at 1461 and 1465 Pine Street are proposed for demolition and are therefore subject to Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991. This ordinance requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos;

scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation concerning which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material is required to file a Hazardous Waste Manifest which details the hauling of the material from the site and its disposal. Pursuant to California law, DBI would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

Lead-based Paint

The interior portion of 1461 Pine Street was remodeled in 1992 and can be assumed not to contain lead-based paint on its painted surfaces. The exterior of the structure was last remodeled in 1980, and it is unknown whether the original paint was removed during that renovation. Any painted portion of the exterior should be considered as suspect for lead-based or lead-containing paints. It was assumed in the Phase I ESA that 1465 Pine Street could have areas which had been painted before 1978 and therefore may contain lead-based paint. Therefore, lead-based paint may be found in both existing buildings which are proposed for demolition as part of the proposed project. Demolition must comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the Department of Housing and Urban Development (HUD) Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must provide

written notice to the Director of DBI, of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures by the San Francisco Building Code would ensure that potential impacts of demolition, due to lead-based paint, would be reduced to a level of insignificance.

In view of the above, the proposed project would have no significant impacts related to hazards.

13) <u>Cultural</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study?	—	<u>X</u>	<u>X</u>
(b) Conflict with established recreational, educational, religious or scientific uses of the area?	—	<u>X</u>	<u>X</u>
(c) Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?	—	<u>X</u>	<u>X</u>

Archeological Resources

Factors considered in determining the potential for encountering archaeological resources include the location, depth, and the amount of soils disturbance proposed, as well as any existing information about known resources in the area. The existing building at 1465 Pine Street includes a basement. Project excavation for the basement parking garage and for spread-footings or mat foundation would probably disturb soils to a depth of approximately 12 feet below street level in the 1461 Pine Street project site and approximately 2.5 feet below the existing basement level in the 1465 project site. It is possible that late 19th century deposits (filled privies or wells/trash pits) might be present in the rear of the 1461 Pine Street project site or as a truncated deposit in the 1465 Pine Street project site. Even if such historical archaeological deposits are present and have integrity in terms of a sufficient range, variability, and number of data sets, such deposits may lack sufficient research value to be eligible for listing to the California Register of Historic Resources. In such a case the deposits would not represent a historical resource under CEQA. However, there is a low potential for prehistoric archeological deposits to be present within the area of project impact.¹² Therefore,

¹² Memorandum from Randall Dean, Planning Department Staff Archaeologist to Sarah Jones, Environmental Planner, *Preliminary Archaeological Review for 1461-1465 Pine Street Project*, March 20, 2006. A copy of this memo is on file with the Planning Department at 1660 Mission Street, Suite 500 and is available for public review by appointment as part of the project file 2003.1234E.

implementation of Mitigation Measure 3 listed in the Mitigation Measures section of this Initial Study would reduce the potential effects on archaeological resources to less-than-significant.

Architectural Resources

A Historic Resource Evaluation report (HRE) was prepared at the request of the Planning Department to determine whether the proposed project would result in a significant adverse effect on an historic resource.¹³ This report and the Planning Department's Historic Resource Evaluation Response (HREER) memorandum dated November 29, 2005¹⁴ are summarized below.

1461 and 1465 Pine Street

The buildings at 1461 and 1465 Pine Street are two of the numerous one-story commercial buildings constructed in the lower Nob Hill and Van Ness Avenue corridor areas after the 1906 earthquake and fire destroyed this mostly residential neighborhood. They are typical of the commercial buildings constructed in this area between 1906 and the Great Depression (see below for description of existing and potential historic districts).

The building at 1461 Pine Street appears to have been constructed between 1911 and 1913. The property is shown on the 1913-1915 Sanborn maps, which indicates that there was a garage with a truss roof and concrete floor on the site. The existing building was originally constructed as a single-story unreinforced brick garage. It has a 50'x120' footprint covering the entire site and is an open shell with brick walls, a concrete floor, and a wood roof truss system with large skylights. Steel frames have been installed along the east and west walls to improve the building's seismic performance. The most notable architectural feature of 1461 Pine Street is a symmetrical parapet that steps up to the center of the building, and is also raised on the east and west ends. The front elevation has three bays, with large storefront windows in each side bay and a roll-up garage door in the center bay. The brickwork between the bays gives the appearance of four brick columns, and there is also a corbelled brick band near the top of the building that imitates a cornice. The rear façade also has a stepped parapet, which differs from the front façade in having five steps rather than four. There is one garage door and some additional small openings on the rear of the building.

The date of construction for 1465 Pine Street is unclear, but it is likely sometime between 1917 and the early 1920s. The building is a two-bay, single-story unreinforced brick automobile repair facility with a buff-colored brick façade in a running bond pattern that is common in the area. The eastern bay has a roll-up garage door and is wider than the bay to the west, which has a storefront window. Each bay contains transom panels with crossed muntins in a "prairie" style. There is also a brick cornice-type ornamentation in a scalloped pattern. The building appears to have been designed by the architecture firm Rousseau & Rousseau, a prolific and prominent local firm at the time that was responsible for several residential buildings and three commercial buildings in the area.

The HRE and the San Francisco Planning Department evaluated 1461 and 1465 Pine Street individually as potential historic resources. There are two steps for determining whether a building is an historic resource for the purposes of CEQA. A property must be eligible for listing in the California Register of Historic Resources (CRHR) under at least

¹³ Jonathan Pearlman, Historical Resource Report, 1461 and 1465 Pine Street, San Francisco, CA, September 27, 2005. Available for review by appointment at the Planning Department, 1660 Mission Street, Suite 500, Case File No. 2003.1234E.

¹⁴ Memorandum from Mark Luellen, Preservation Planner, to Randall Dean, Environmental Planner, *Historical Resource Evaluation Response for 1461-1465 Pine Street*, November 29, 2005. A copy of this memo is on file with the Planning Department at 1660 Mission Street, Suite 500 and is available for public review by appointment as part of the project file 2003.1234E.

one criterion, and it must retain integrity, which refers to the ability of the property to convey its significance. The Planning Department has determined that both 1461 and 1465 Pine Street are not individually eligible for the CRHR, but that they are contributing buildings to two historic districts that appear to be eligible for the CRHR for their association with an event (the post-earthquake and fire recovery period of 1906-1913 and the concentration of white collar service workers in a dense inner-city residential area in 1906-1930) and for their architecture.

San Francisco Apartment/Hotel District and Van Ness Automotive District

The proposed project site is located one block from the San Francisco Apartment/Hotel District (“District”), which was nominated for listing on the National Register of Historic Places in 1983. This proposed district is roughly bounded by Larkin, Bush, Taylor, and Turk Streets. The California Historical Resource Commission tabled the nomination. Later, the northern portion of the district was separately nominated and subsequently listed as the Lower Nob Hill Historic District in 1991. The analysis in the Planning Department’s HRER refers to the entire area included in the 1983 nomination of the District. The project site is located one block northwest of the boundaries of the District.

The District is a largely intact, visually consistent, high-density residential area constructed during the years following the earthquake and fire of 1906 until 1940. Because virtually the entire District was constructed over a relatively short period of time (25 years), a limited number of architects, builders, and clients produced a harmonious group of structures that share a single, classically oriented visual imagery using similar materials and details. The District is characterized by three- to seven-story multi-unit residential apartment and hotel buildings constructed of brick and reinforced concrete. Although they are not within the geographic boundaries of the surveyed District, 1461 and 1465 Pine Street are typical of the one-story commercial buildings that are prevalent in the District and identified as contributory structures. At the time of the original nomination, 6% of the structures in the District, or 51 buildings, were contributory single-story commercial buildings. This figure does not include the buildings on the subject properties, which were outside the area surveyed for the District.

The buildings on the proposed project site are also consistent with the strong automotive theme of the Van Ness Avenue corridor. As automobiles grew in popularity during the early years of the 20th Century, Van Ness Avenue between the Civic Center and Jackson Street emerged as the center for automobile sales, service, and repairs in San Francisco. As described in the Van Ness Avenue Area Plan of the *San Francisco General Plan*, significant showrooms were located on Van Ness Avenue itself, while smaller ancillary uses such as garages and smaller showrooms proliferated on surrounding side streets. The Section 106 Review report for the area, completed in May 2004 by Architectural Resource Group, found the automobile-themed buildings in this area “contribute to the strong automotive theme of the neighborhood, relating garages, repair shops, car showrooms, and motels catering to visitors traveling by car.” The document concludes that the automotive themed buildings in the area “appear to be eligible as contributing buildings to a National Register District, which has not as yet been fully identified or researched.” 1461 and 1465 Pine Street are consistent with this automotive theme and, according to the HRER, would appear to be eligible as contributors to a future Van Ness Avenue automotive district.

Historical Ratings of Project Site

A building can be an historic resource individually for its own historic value, or as a contributor to of a wider historic district or significant context. With regard to their individual eligibility as historic resources, the buildings on the proposed project site are not San Francisco City Landmarks. The buildings do not appear in the Here Today survey,

which has been adopted by the Board of Supervisors as an official survey of historic resources in San Francisco. The buildings meet the California Register of Historic Resources Criteria of Significance for their association with an event, that event being the development of a dense urban residential neighborhood and automobile-oriented uses in the period 1906-1940. They also could meet the California Register Criteria for their design, which, though modest, is intact and provides a link to aspects of the past.

The second step in determining whether a building is an historic resource for the purposes of CEQA is determining its integrity, which is the ability of a property to convey its significance. 1461 and 1465 Pine Street were evaluated based on seven aspects of integrity: location, design, materials, workmanship, setting, feeling, and association. The buildings on the project site have retained their integrity of location, design, materials, and workmanship. They have not retained the integrity of their setting due to many changes in the character of this block of Pine Street in the years since the buildings were initially constructed. Unlike the areas that are within the San Francisco Apartment/Hotel District boundaries, which have retained a consistent visual setting, Pine Street west of Larkin Street now contains a variety of architectural styles and is not consistent with the visual character of areas to the southeast. With regard to the seventh criterion of association, 1465 Pine Street appears to have remained in automotive-related use over time while 1461 Pine Street is now operating as a retail plant nursery and is no longer in its original automotive use.

Although the buildings are not individually eligible for listing in the California Register of Historic Resources, the San Francisco Planning Department has determined that the buildings are contributors to both the San Francisco Apartment/Hotel District and a potential automotive-theme district in the Van Ness Avenue area. These Districts meet the California Register of Historic Resources Criteria of Significance for their association with the development of a dense urban residential neighborhood and automobile-oriented uses in the period 1906-1940. The Districts also could meet the California Register Criteria for their overall architectural design. Although the appearance of the two buildings at issue in this case is modest, they are intact and provide links to aspects of the past.

The 1400 block of Pine Street was not included in the original survey area for the San Francisco Apartment/Hotel District, so there was no determination at the time of the original survey that these buildings should not be considered contributors to that nearby district. Due to the proximity of these structures to both Districts and their consistency with the character of the single-story contributory commercial structures in the San Francisco Apartment/Hotel District itself, the Planning Department considers the existing buildings to be contributing structures to the urban residential and automotive commercial districts dating from after 1906, and has determined that the buildings appear to be historic resources as contributors to the Districts.

Impacts

The proposed project would result in the demolition of the existing buildings at 1461 and 1465 Pine Street. Although these buildings are contributory to two eligible historic districts, their demolition would not result in a substantive adverse change to the significance of the Districts as a whole, which, for the purpose of this environmental review, is the historic resource in question. The buildings are two of numerous automotive-themed buildings that remain and contribute to the character of the San Francisco Apartment/Hotel District and within the Van Ness Avenue automotive theme area, thus there remain numerous examples within the Districts of the same type of structure that these two buildings represent. Additionally, their location is removed from both the boundaries of the San Francisco Apartment/Hotel District and the Van Ness Avenue corridor. Unlike the neighborhoods that comprise the Districts, the

neighborhood directly surrounding the buildings has a varied mix of early twentieth century mid-and high-rise residential buildings, lower-rise commercial buildings, and some mid- and high-rise late twentieth century buildings.

In the case of the buildings at 1461 and 1465 Pine Streets, the historic resource under consideration is not the individual buildings but rather the Districts in which they are located. Therefore, the issue to consider in determining whether the demolition of the buildings is a significant impact under CEQA is whether or not the demolition of the buildings constitutes a material impairment to the integrity of the San Francisco Apartment/Hotel District or a possible future automotive theme district in the Van Ness Avenue area. The proposed demolition of these buildings would not materially impair the Districts to which they contribute and would not substantially affect either District in terms of eligibility for the California Register or National Register. Therefore, the Planning Department has determined that demolition of these two buildings would not have a substantial adverse impact on the historic districts and does not constitute a significant impact under CEQA.

Based on the above analysis, the proposed project would not have a significant adverse impact on archeological and architectural resources.

C. <u>OTHER</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
	Require approval and/or permits from City Departments other than Department of City Planning or Bureau of Building Inspection, or from Regional, State or Federal Agencies?	—	<u>X</u>	—

Neighborhood Notice

A notification regarding environmental review for the proposed project was mailed on March 16, 2004. The Planning Department received no responses.

While local concerns or other planning considerations may be grounds for modification or denial of the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment.

D. <u>MITIGATION MEASURES AND IMPROVEMENT MEASURES</u>	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>DISCUSSED</u>
1) Could the project have significant effects if mitigation measures are not included in the project?	<u>X</u>	—	—	—
2) Are all mitigation measures necessary to eliminate significant effects included in the project?	<u>X</u>	—	—	—

Improvement Measure

The following improvement measure was identified to diminish the potential effects of the proposed project. Improvement measures are meant to address effects of the project which are not considered potential significant impacts under CEQA, but which nevertheless could have a demonstrable effect on the surrounding area.

Transportation Improvement Measure – Project Construction

Temporary closure of Frank Norris Street for project construction would affect Redding Elementary School operations during school drop-off and pickup times. The sponsor shall work with representatives of Redding Elementary School to develop a plan for informing the school of planned street closures related to project construction and shall implement the procedures identified in that plan.

Mitigation Measures

The following mitigation measures have been agreed to by the project sponsor and are necessary to avoid potential significant effects of the project:

1. Construction Air Quality

The project sponsor would require the contractor(s) to spray the site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand, or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions.

Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor would require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsors would require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

2. Hazards

In addition to local, state and federal requirements for handling hazardous materials, the project sponsor would enter into a voluntary agreement with the San Francisco Department of Public Health (DPH) to undertake the following work and any additional requirements imposed by DPH under the agreement.

Prior to initiating any earth-moving activity at the project site, the project sponsor would consult with DPH to determine whether additional soil sampling would be necessary. Disposal of excavated soils would comply with existing local, state, and federal regulations. If determined to be necessary, a Site Safety and Health Plan would be prepared. In addition to measures that protect on-site workers, the Plan would include measures to minimize public exposure to contaminated soils. Such measures would include dust control, appropriate site security, restriction of public access, and posting of warning signs, and would apply from the time of surface disruption through the completion of earthwork construction.

The project sponsor would provide all reports and plans prepared in accordance with this mitigation measure to DPH and any other agencies identified by DPH. When all hazardous materials have been removed from the project site, and soil analysis and other activities have been completed, as appropriate, the project sponsor would submit to the Planning Department and DPH (and any other agencies identified by the DPH) a report stating that all hazardous materials have been removed from the project site, and describing the steps taken to comply with this mitigation measure. Any

verifying documentation would be attached to the report. The report would be certified by a Registered Environmental Assessor or similarly qualified individual.

3. Archeological (Accidental Discovery)

This measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Forman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or

interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

E. MANDATORY FINDINGS OF SIGNIFICANCE

YES NO DISCUSSED

- 1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
- 2) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- 3) Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)
- 4) Would the project cause substantial adverse effects on human beings, either directly or indirectly?

—	<u>X</u>	—
—	<u>X</u>	—
—	<u>X</u>	—
—	<u>X</u>	—

F. ON THE BASIS OF THIS INITIAL STUDY

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.
- X I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because Mitigation Measure 1-3 in the discussion above have been included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

DATE 4/11/06

Paul Maltzer
Environmental Review Officer
for
Dean L. Macris
Director of Planning

